

KILLED IN THE CANYON

Pioneer of Escalante Loses His Life.

JOSHIAH BARKER'S SAD FATE

ACCIDENT AT EPHRAIM INJURES SEVERAL PEOPLE.

Merry-go-round Tent Blew Down and Caught Fire—Heber Man Crushed Under a Wagon—Serious Fire at Logan—Jail Break at Provo—Newspaper Change at Springville—Richfield's Water.

Escalante, Utah, July 25.—A bad accident recently occurred in Birch Creek canyon and Josiah Barker, one of the pioneers of this place, was killed while hauling a load of shingles from Panguitch. He was the first man with his family in Escalante. The accident occurred on the 21st and cast quite a gloom over the people.

I. O. O. F. GRAND LODGES.

Special Meeting to Be Held at Park City.

Park City, July 25.—Next Monday evening at 6:30 o'clock a special meeting of the Grand Lodge I. O. O. F. will be held in Park City for the purpose of conferring grand lodge and past official degrees. W. O. Carver, grand master, and W. J. Moore, grand secretary, are expected. Several grand lodge officers reside in Park City, viz: L. E. Hubbard, grand warden; W. J. Snyder, grand marshal; S. L. Redden, district deputy grand marshal. After the special meeting the grand lodge officers will make an official and fraternal visit to Park City lodge, No. 4, located in the city.

Messrs. J. O. Foulks and A. T. Rithby, of Ogden, are planning to go on an excursion to the Grand Canyon, Arizona, on the 28th inst. They will be accompanied by J. O. Foulks, Jr., and A. T. Rithby, Jr., and will leave for the trip on the 28th inst.

Passengers to Conville this morning were W. J. Snyder, grand marshal, and W. J. Moore, grand secretary, of the Salt Lake lodge, No. 4, and W. J. Moore, grand secretary, of the Salt Lake lodge, No. 4, and W. J. Moore, grand secretary, of the Salt Lake lodge, No. 4.

Professor F. A. Swanger and wife arrived from Salt Lake this morning. Mrs. F. A. Swanger is a resident of Salt Lake and is visiting Mr. and Mrs. E. J. Walter.

Douglas Moffat, and C. Dewey of the Ontario mill, left for Soda Springs, Idaho, on an outing trip.

Mr. and Mrs. Henry Newell are in the city.

Two women named Johnson and Simmons were taken to Coalville this morning to be examined for insanity.

Miss Lillian Burdick, of Salt Lake, is the guest of Miss Anna Den.

George Williams returned this morning from Toronto, Canada.

Joe Hatch, of Heber, went to Salt Lake today.

C. D. Rockledge has purchased an interest in the Empire laundry and will move to Salt Lake. Mrs. Rockledge went down this afternoon.

D. O. P. H. ANNIVERSARY.

The third anniversary of Silver Spray lodge, D. O. P. H., was celebrated in A. O. U. W. hall, with appropriate exercises. About 200 people, including members of Sunshine lodge, of Heber, Mesquite lodge, of Park City, and members of the A. O. U. W. lodge of the Park were present.

Mrs. Alice Deighton, C. of H., presided and a very interesting program was rendered, as follows:

Opening ode.—The audience prayer.—Mrs. Louise Pratt, P. C. of H. Address of welcome.—Ideal orchestra solo, "Before Sea Fell," D. Sullivan Recitation, "Crissled for the Evening Duet, "Mary Bird."

Mrs. B. B. Evans, Mary Den Goltz and Maryden, Miss Kate Lawrence, Mrs. Lillian and Frieda Funk, Recitation, "Prayer and Potatoes." Quartet, "Moonlight and Pink family Recitation, "The Maniac's Wife."

Solo, "The Old Sexton," George Durston Selection, "The Old Sexton," Ideal orchestra Solo, "Play Tag with Bells." D. Sullivan Closing ode.

Refreshments were served at the conclusion of the program. Among those present were Judge and Mrs. Thomas S. Watson, of Heber, Mrs. Foulks and Mrs. Riche of Ogden.

A team belonging to Charles Denning ran away with a load of hay late afternoon. Mr. Denning and T. C. McLaughlin were thrown to the ground, the former being bruised considerably. It is rumored that a motorist will start tomorrow morning with a small force of men.

ACCIDENT NEAR HEBER.

Even Bjorkman Run Over by a Loaded Wagon.

Heber, Utah, July 25.—Even Bjorkman of Bayville, a little town just south of here, met with a serious accident on Monday afternoon. The unfortunate man was on his way down the canyon with a load of wood when one of his brakelocks got out of place. He stopped the wagon and was in the act of replacing the block, when for some cause the horses started to go, causing the wagon wheels to run over him, producing a skull fracture of the hip bone. Dr. Aird was called and rendered medical assistance.

Judge Dusenbury opens court here this morning, but as the people of Provo valley generally are law-abiding citizens, there will be little court work for his honor to attend to.

Editor Glanville of the Wasatch Wave has just got home from the Jubilee when he was called back to Salt Lake City by telephone to attend the funeral of his sister.

Captain W. and his wife arrived here today on their way home from the Jubilee. The captain is highly delighted with the trip and the manner in which he and his wife were entertained. They will continue their trip tomorrow for Fort Duchene.

Sam King, Utah county attorney, was seen driving around our streets today.

Uncle Joe Muddock, an aged gentleman and a pioneer of '47, returned home from the Jubilee minus \$4, which had been picked from his pocket. A pickpocket that would steal from an aged and honorable man like Uncle Joe would rob the corpse of his grand-mother.

A great many Salt Lake people are passing through here these days on their way to the Strawberry country.

Scores of wagon loads of Uintah county people are passing through on their way home from Salt Lake.

While Miss Freda Janspersen was watching the parade on Saturday she was relieved of her pocketbook, containing her money and railroad ticket. Fortunately she had many relatives and friends in the city.

FIRE AT LOGAN.

A Residence Totally Destroyed—News Notes and Personals.

Logan, Utah, July 25.—Fire almost completely destroyed the home of Mr. Hans Babelstein in the Seventh ward of this city at an early hour this morning. The fire bell was rung and

the firemen were soon on the spot, but were powerless to save the house. Neighbors carried out the furniture, which was very little damaged. There was \$200 in cash on the house, and furniture and it is thought the damage will be covered by \$450. The insurance policy was issued by the Home Mutual company of California.

Among the visitors to Logan today, are Messrs. J. Golden and Elias Kimball of Salt Lake City, Bishop Hughes of Mendon and Fred Halvorsen of Ogden.

The bodies of the two boys drowned in Bear river have not yet been found. An aquilla Nebeker is in Logan for a few days and has announced his intention of moving his family to this city in the near future.

Work is being pushed on the Agricultural College building.

Mrs. Fatisha Hays Lyons, a former popular actress of this city, and latterly a resident of Telluride, Colo., is here visiting her parents, Mr. and Mrs. Nathaniel Hays.

The funeral services over the remains of the late William Louie were held in the Salt Lake hall today. The deceased leaves a wife and two small children.

A sociable will be given in the Millville hall tomorrow night, in honor of Elmer S. Holt, who leaves shortly on a mission.

A little son of Mr. Edward Holden received a painful though not serious injury by being thrown from a sign on Second street yesterday. His foot was caught in the sign and he was thrown to the ground, fracturing his foot.

Business men will do well to remember that in accordance with the change in the train schedule, mail from the south is not fully distributed until 12:30 p. m.

Mrs. Walter S. Needham of Salt Lake is visiting relatives here.

Professor J. Edward Hyde, until recently secretary of the Agricultural College board, has accepted the position of head foreman of the Oregon Lumber company at Baker City, and leaves for that point on Friday's train.

Mr. Hyde has many friends here, who wish him every success in his new field.

RICHFIELD'S WATER

Great Interest Taken in the Case Now on Trial.

Richfield, July 25.—When Richfield was built here it now stands, it was because there was a spring flowing out at the base of the mountains north and west of the present site. It was the spring which made Richfield, and without that spring the city would not have been. Therefore, the people were apprehensive during the two days in which the suit of the city against Bean, who owned the spring, was going on.

The defense finished the cross-examination of the state engineer, attacking his testimony as to the geological structure, and trying to show that his measurements were not accurate.

Bob Forrester gave expert testimony for the defendants. He had traced the limestone from which both springs came, and had shown that the limestone in both was alike, but that it extended all the way between, though it was just as apt to do so.

The water of the springs was not gathered in the immediate vicinity, but came from some distance. He believed the water came from the west to the city spring, and a little west of north to the defendant.

The two might be connected, "but do not seem to be closely connected." If the two springs were connected, the Bean spring would only get what the city spring would get.

When Thurman took the witness to cross-question, he said that if the Bean spring was one foot higher than the city spring, there might be a barrier in limestone that would account for the water running out at the highest point.

While the last of this evidence was being given, the courtroom was very quiet, and all listened with interest. The defense finished the case, and the case was turned over to the jury.

The jury will take all day to finish the trial, but men who bet on decisions wager five to one in favor of the city.

NEWSPAPER CHANGE.

Springville Independent Has a New Editor—Fruit Crop.

Springfield, July 25.—With this week's issue, Mr. D. P. Felt's connection with the Independent ceases. Mr. Felt leaves in a few days for military fields in the south, and will be absent an indefinite length of time. In his editorial mention of the matter, which will appear in the Independent, Mr. Felt introduced his successor in very complimentary terms. He is Mr. W. P. Gibson, who has spent his lifetime in the printing and newspaper business, and who has been with the Independent for the last two years. He is entirely competent, and well liked. The paper will be enlarged, its name changed, and other improvements made. The new paper will be published on Monday, and will be a credit to our beautiful city, which will be given a newspaper at will be a credit.

HEAVY FRUIT CROP.

Fruit growers are busy gathering the enormous peach crop, and the express and freight departments are employed with the unusually large shipments.

The fruit leaves here in splendid condition, being packed in the latest and most attractive ways, and purchasers from Springville shippers will be well satisfied. The prolific yield of peaches will even up for the shortage in smaller fruits.

Defects in ordinances in the early days of the present city government caused much labor and trouble. A plan has now been adopted by which a new set of ordinances are being enacted, and council meetings are being held frequently during the time consumed in making new laws. It is claimed that the new ordinances will be models, and when completed will constitute the best municipal code in the state.

J. L. Carver, Nevada, is here visiting his uncle, William McDaniel.

JAIL BREAK AT PROVO.

Three Petty Offenders Make Their Escape—Power Plant.

Provo, July 25.—Three prisoners came up missing this morning at the city jail. They were sent up sometime ago for 40 days for drunkenness and disorderly conduct and once before made an attempt to escape, but were detected by the acting jailer. Provo evidently needs a new city jail, the one now in use being an ancient structure which is a perfect snap for a modern jail breaker.

Sam King, Utah county attorney, was seen driving around our streets today.

Uncle Joe Muddock, an aged gentleman and a pioneer of '47, returned home from the Jubilee minus \$4, which had been picked from his pocket. A pickpocket that would steal from an aged and honorable man like Uncle Joe would rob the corpse of his grand-mother.

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Prosecuting Attorney Reid asked the leniency of the court in behalf of the defendant, who had previously borne a good name, and from the fact that other mitigating circumstances in the case appeared for consideration.

The judge spoke feelingly as to being called upon to pass sentence upon the defendant, even if others have to suffer for his crime.

The case was heard before Judge R. H. Lamm July 25, and terms of separation were made by stipulation.

County Assessor W. N. Miller came down from Park City this morning.

County Attorney Henry Shields was in Ogden today, doing business at the court house.

Silas M. Pack and Dan Lambert were among those who had business with the court.

Squire Tails continue to come in, and the number in the fields looks as large as ever.

No club as yet is had of the men who held up and robbed W. W. Cluff, Jr., on Sunday night last, and the chances are slim that there ever will be.

Mrs. W. F. Smith and family of Salt Lake arrived here today, and will spend a month with friends and relatives, to escape the heat of the city.

About 250 persons from here attended the Jubilee, and have mostly returned. All reports of the most glorious treat in the way of a celebration ever witnessed by them.

MILITIA CAPTAIN RESIGNS.

Captain Bean of the Richfield Company Wants to Retire.

Richfield Advocate: Yesterday O. U. Bean, captain of the local militia company, sent the Advocate a copy of his resignation, which reads as follows:

Governor Heber M. Wells, Commander in Chief, M. G. U.

Sir:—I am a prominent member of Company K very unjustly and maliciously published and told certain untruths detrimental to my character as an officer and citizen, and as yet have made no apologies, public or private, whatsoever, although an investigation proved the utter falsity of the statements. I hereby tender my resignation of my position as captain of Company K, First Infantry, M. G. U., and ask that it be accepted immediately.

This is the only honorable thing for me to do, except to resign my position as captain of Company K, First Infantry, M. G. U., and ask that it be accepted immediately.

Grant me the privilege of reporting Company K's effects before my successor is elected. Very respectfully,

O. U. BEAN, Captain Company K.

MERRY-GO-ROUND BURNED.

Several Injured at Ephraim.

Moreton, July 25.—Last night about 10 o'clock a heavy load broke the tent of Mr. Bextrom's merry-go-round, while it was in full operation, and before it could be stopped, for the people to get off, the tent caught fire from a kerosene lamp and was in full blaze.

One of the employees who attempted to take the lamp down and extinguish the fire was burned severely on the hands and arms, and was taken to the hospital. The tent was completely destroyed, and the merry-go-round was slightly damaged and bruised in the fire, but none seriously.

The tent was ripped off and the fire extinguished.

AS TO THOSE AUDITORS.

Agent Corse Explains Their Business in Ogden.

Agent Corse of the Union Pacific and Oregon Short Line was yesterday shown the item appearing in the Tribune to the effect that the presence of several auditors at the freight office was causing much uneasiness among the employees of that office.

Mr. Corse, unhesitatingly and with great vigor characterized the item as a malicious fabrication. It was that the auditors had checked up as usual and a special examination had been made for a report on the tonnage and wheels of the Oregon and Utah lines.

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OGDEN BUREAU. Business and Editorial Office 519 Utah Loan & Trust Building. Telephone 285.

Ogden, July 25.

WRIGHT'S REDRESS.

Pays Alimony and Gives Custody of Children to Get Divorce.

The somewhat notorious divorce case of Wright vs. Wright has been settled quietly. An attempt was made to avoid all publicity, and the entries in the court blotter were not made until yesterday, after disclosures were made.

The case was heard before Judge R. H. Lamm July 25, and terms of separation were made by stipulation.

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SUNDARY SUITS FILED.

Orders Made in Court—Probate Matters.

Charles F. Dinmore, assignee of Eskine B. Fullerton, executor of the estate of Fannie P. Fullerton, deceased, and Caleb L. McKee, trustee for said Annie P. Fullerton, have begun suit against Elihu Warren and Mary S. Warren and Henry M. Bomer, for the foreclosure of a mortgage, given to secure a note of \$1,000.

L. N. Mengill has begun suit against L. M. Morgan, husband, asking for divorce on the ground of non-support. The couple were married at Evanston, Sept. 14, 1935.

Ina T. Thomas vs. Thomas J. Thomas, an annulment case, was granted decree of divorce.

J. H. Kraus & Co. et al. vs. Neils C. Flare et al., demurrer overruled and defendants granted ten days to answer; further ordered that motion to strike answer and for judgment on pleadings be denied.

J. C. Arnest, administrator, vs. James McFarland et al.; defendant given leave to withdraw answer, and ten days allowed in which to further plead.

Alfred A. Neagle vs. Aquilla Nebeker; plaintiff granted judgment in the sum of \$3,353.

R. C. Mitchell has filed a petition for appointment of guardian of Elsie Farmer, Frank Farmer and Percy Farmer, minors, and children of Louisa Farmer, deceased.

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BUTLER'S TRIAL AND EXECUTION. Former Lasted Only Three Short Days.

Ogden, July 25.

WAS SENSATIONAL.

IN SOME RESPECTS.

MURDERER BECOM